

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PENNSYLVANIA PROFESSIONAL LIABILITY JOINT UNDERWRITING ASSOCIATION,	:	CIVIL ACTION NO. 1:17-CV-2041
	:	
	:	(Chief Judge Conner)
	:	
Plaintiff	:	
	:	
v.	:	
	:	
TOM WOLF, in his Official Capacity as Governor of the Commonwealth of Pennsylvania,	:	
	:	
	:	
Defendant	:	

ORDER

AND NOW, this 17th day of May, 2018, upon consideration of the cross-motions (Docs. 58, 61, 64) for summary judgment pursuant to Federal Rule of Civil Procedure 56 filed by the Pennsylvania Professional Liability Joint Underwriting Association (“the Association”), the General Assembly of the Commonwealth of Pennsylvania (“General Assembly”), and Tom Wolf, in his official capacity as Governor of the Commonwealth of Pennsylvania (“Governor Wolf”), and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. The Association’s motion (Doc. 58) for summary judgment is GRANTED as to the Association’s Takings Clause claim and is otherwise denied as moot.
2. The General Assembly’s motion (Doc. 61) for summary judgment is DENIED.
3. Governor Wolf’s motion (Doc. 64) for summary judgment is DENIED.

4. It is ORDERED and DECLARED that Act 44 of 2017, P.L. 725, No. 44 (Oct. 30, 2017) is unconstitutional in violation of the Fifth and the Fourteenth Amendments to the United States Constitution, and enforcement thereof is hereby and permanently ENJOINED.
5. The Clerk of Court shall enter declaratory judgment in favor of the Association and against the General Assembly and Governor Wolf.
6. The Clerk of Court shall thereafter close this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania